

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION**

JAMES YATES,

Plaintiff,

V.

STATE OF TENNESSEE,

Defendant.

Case No. 2:23-cv-02696-SHM-tmp

ORDER DIRECTING CLERK TO MODIFY DOCKET

This case was filed by a *pro se* prisoner and docketed under Nature of Suit Code 440. According to the Civil Nature of Suit Code Descriptions, 440 applies to “Other Civil Rights” claims excluding claims against corrections officials and relates to an “[a]ction alleging a civil rights violation other than the specific civil rights categories listed below or a violation related to prison.”

Plaintiff alleges in his complaint that he received ineffective assistance of counsel in a state court proceeding. (ECF No. 1 at PageID 3-7.) The Court has determined that a more appropriate Nature of Suit Code for this case is 530 for “[a]ction by a federal or state prisoner currently in custody challenging the legality of confinement or other punishment,” which includes “claims alleging illegalities that occurred in trial (for example, ineffective assistance of counsel).”

The Clerk is DIRECTED to modify the docket and change the Nature of Suit for this lawsuit from 440 Civil Rights Other to Nature of Suit Code 530 General.

IT IS SO ORDERED this 5th day of April, 2024.

/s/ Samuel H. Mays, Jr.
SAMUEL H. MAYS, JR.
UNITED STATES DISTRICT JUDGE